

E-filed 7/17/06

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 NICOLE MOSS
 and DISABILITY RIGHTS,
 ENFORCEMENT, EDUCATION,
 SERVICES: HELPING YOU
 HELP OTHERS

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

NICOLE MOSS, an individual; and)	CASE NO. C05-1371 JF
DISABILITY RIGHTS, ENFORCEMENT,)	
EDUCATION, SERVICES: HELPING)	STIPULATION OF DISMISSAL AND
YOU HELP OTHERS, a California public)	[PROPOSED] ORDER THEREON
benefit corporation,)	
)	
Plaintiffs,)	
)	
v.)	
)	
CHINA ONE BUFFET; NORMA)	
CAMARLINGHI, as trustee for the)	
RUDOLPH CAMARLINGHI EXEMPTION))	
TRUST; and CHINA ONE)	
INTERNATIONAL BUFFET INC., a)	
California corporation,)	
)	
Defendants.)	

The parties, by and through their respective counsel, stipulate to dismissal of this action in its entirety with prejudice pursuant to Fed.R.Civ.P.41(a)(1). Outside of the terms of the Mutual Settlement Agreement and Release ("Agreement"), each party is to bear its own costs and attorneys' fees. The parties further consent to and request that the Court retain jurisdiction over enforcement of the Agreement. See Kokonen v. Guardian Life Ins. Co., 511 U.S. 375 (1994) (empowering the district courts to retain jurisdiction over enforcement of settlement agreements).

1 Therefore, IT IS HEREBY STIPULATED by and between parties to this action through
2 their designated counsel that the above-captioned action be and hereby is dismissed with
3 prejudice pursuant to Federal Rules of Civil Procedure section 41(a)(1).

4 This stipulation may be executed in counterparts, all of which together shall constitute
5 one original document.

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7 Dated: July 12, 2006

THOMAS E. FRANKOVICH
A PROFESSIONAL LAW CORPORATION

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9 By: /s/ Julia M. Adams
10 Julia M. Adams
11 Attorneys for NICOLE MOSS and
12 DISABILITY RIGHTS ENFORCEMENT,
EDUCATION SERVICES:HELPING YOU HELP
OTHERS

13 Dated: July 12, 2006

FITZPATRICK, SPINI & SWANSTON

14
15 By: /s/ Anna DiBenedetto
16 Anna DiBenedetto
17 Attorneys for Defendant NORMA
18 CAMARLINGHI, as trustee for the RUDOLPH
CAMARLINGHI EXEMPTION TRUST

19 Dated: July 12, 2006


LAW OFFICE OF LESLEY HARRIS

20
21 By: /s/ Lesley B. Harris
22 Lesley B. Harris
23 Attorneys for Defendants BEST CHINA BUFFET,
24 INC., dba CHINA ONE BUFFET, ROBERT
25 CHOW and CHINA ONE INTERNATIONAL
26 BUFFET, INC.
27
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ORDER

IT IS HEREBY ORDERED that matter is dismissed with prejudice pursuant to Fed.R.Civ.P.41(a)(1). IT IS FURTHER ORDERED that the Court shall retain jurisdiction for the purpose of enforcing the parties' Mutual Settlement Agreement and Release should such enforcement be necessary.

Dated: __ 7/17/06 ____, 2006



Honorable Jeremy Fogel
UNITED STATES DISTRICT JUDGE